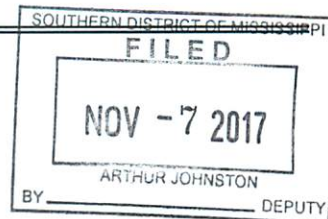


AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi



United States of America

v.

Emerson Isaac Hernandez-Turcios

Case No.

1:17mj611-RHW

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 5, 2017 in the county of Pearl River in the  
Southern District of MS, Southern Division, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. § 1324(a)(1)(A)(ii)

Illegal Transportation or Moving of an Alien

This criminal complaint is based on these facts:

See Affidavit, which is attached and incorporated by reference herein.

☒ Continued on the attached sheet.

Complainant's signature

Brent Druery, DHS/HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/07/2017

Judge's signature

City and state: Gulfport, MS

Robert H. Walker, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT**

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
SOUTHERN DISTRICT OF MISSISSIPPI

I, Brent Druery, being first duly sworn, hereby depose and say that:

1. I am a Special Agent (SA) with Homeland Security Investigations (HSI), United States Department of Homeland Security, presently assigned to the Office of the Resident Agent in Charge, Gulfport, Mississippi. I have been a Special Agent since November 2002. I am a graduate of the Federal Law Enforcement Training Center. I received training with immigration investigations and have previously worked numerous immigration investigations involving the apprehension of immigration violators.
2. On November 5, 2017, in Pearl River County, in the Southern Division of the Southern District of Mississippi, Pearl River County Sheriff's Deputy, Daniel Quave, conducted a traffic stop on a Honda CRV, displaying a temporary Texas license plate 26Y0677. Deputy Quave encountered the driver, Emerson Isaac HERNANDEZ-TURCIOS, a citizen of Honduras and a Legal Permanent Resident of the United States. Deputy Quave also observed five unidentified Hispanic passengers. Deputy Quave questioned HERNANDEZ-TURCIOS regarding his relationship with the five passengers in the vehicle. At first, HERNANDEZ-TURCIOS identified the passengers as family and friends, then changed his story and advised he did not know anyone in the vehicle.
3. At this point Deputy Quave conducted a pat down of HERNANDEZ-TURCIOS and located a glass pipe containing burnt residue. Upon opening the driver's door, Deputy Quave observed marijuana residue on the floorboard between the seat and the door. Deputy Quave attempted to communicate with the other five passengers in the vehicle but was unsuccessful due to the language barrier. Deputy Quave opened the back hatch of the vehicle and located three Hispanic males hiding in the cargo area under a cover. The three passengers found in the cargo area, together with the driver and five passengers not in the cargo area, brought the total number of passengers to eight, and the total occupants in the vehicle to nine. The Honda CRV had a total of only five seat belts with one for the driver and four seat belts for passengers. At this point Deputy Quave contacted HSI SA Druery for assistance.
4. SA Druery responded to the Pearl River County jail to assist Deputy Quave. SA Druery determined all eight passengers were illegally present in the United States. SA Druery determined that the occupants were being transported by HERNANDEZ-TURCIOS from Houston, Texas to Virginia/New York. Deputy Quave issued HERNANDEZ-TURCIOS a traffic citation for driving under the influence and HERNANDEZ-TURCIOS was arrested. The eight remaining occupants were detained at the Pearl River County Jail and transported to the HSI office in Gulfport, Mississippi on November 6, 2017.
5. On November 5, 2017, HERNANDEZ-TURCIOS was interviewed at the Pearl River County Jail by SA Druery and Deputy Quave. HERNANDEZ-TURCIOS was read his Miranda Rights Warning by SA Druery. HERNANDEZ-TURCIOS advised that he understood his Miranda rights. HERNANDEZ-TURCIOS agreed to speak with SA Druery and Deputy Quave, but refused to sign an acknowledgment

that he had been read and understood his rights.

6. During the interview, HERNANDEZ-TURCIOS stated he was transporting the subjects from Houston, Texas to Virginia. HERNANDEZ-TURCIOS stated he was going to drive the vehicle the whole time during the duration of the trip. HERNANDEZ-TURCIOS stated he was going to be paid \$600-\$700 to transport the subjects to Virginia. HERNANDEZ-TURCIOS stated he did not know specifically where he was driving to in Virginia. HERNANDEZ-TURCIOS stated he was going to call the person that hired him when he got close to Virginia for more specific instructions. HERNANDEZ-TURCIOS stated he did not know the person who hired him to transport the subjects to Virginia. HERNANDEZ-TURCIOS stated he did not know who the vehicle belonged to. HERNANDEZ-TURCIOS stated all subjects were in the vehicle when he picked up the vehicle. HERNANDEZ-TURCIOS stated he was not aware that there were three additional subjects in the hatch of the vehicle. HERNANDEZ-TURCIOS stated he was provided \$350 up front to pay for fuel for the trip to Virginia and back. HERNANDEZ-TURCIOS stated that this was the first trip he had made.

7. The eight passengers were identified as the following: Gladis Hernandez, citizen of El Salvador; Alexis Nieto Hernandez, citizen of El Salvador; Eliseo Alvarado Perez, citizen of Guatemala; Wilson Walberto Clemente Perez, citizen of Guatemala; Juan Petronilo Baten Alva, citizen of Guatemala; Marco Antonio Joce Baten Ramirez, citizen of Guatemala; Anayelli Sanchez Terreros, citizen of Mexico; and Rosa Coatl Ponce, citizen of Mexico.

8. Based on the aforementioned facts and circumstances, your affiant believes there is probable cause that HERNANDEZ-TURCIOS is in violation of 8 USC 1324 Transporting Illegal Aliens.



Brent Druery  
Special Agent  
Homeland Security Investigations  
U.S. Department of Homeland Security

Sworn to and subscribed before me this,  
the 7<sup>th</sup> day of November, 2017.



UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF MISSISSIPPI